
**Agriculture & Natural Resources
Committee**

SB 5974

Brief Description: Regarding live nonambulatory livestock.

Sponsors: Senators Morton, Hatfield, Swecker, Marr and Shin.

Brief Summary of Bill

- Creates a new civil infraction for individuals who knowingly transport non-ambulatory livestock to or from a facility that trades in livestock.

Hearing Date: 3/13/09

Staff: Jason Callahan (786-7117)

Background:

Transport of Non-Ambulatory Livestock.

Knowingly transporting non-ambulatory livestock to or from a facility that trades in livestock is a gross misdemeanor [RCW 16.52.225]. The term "non-ambulatory livestock" means any cattle, sheep, swine, goats, horses, mules, or other equines that cannot walk or rise from a recumbent position.

Citations for the unlawful transport of non-ambulatory livestock may only be issued by a law enforcement officer or by an animal care and control agent of a recognized humane society. A citizen animal care and control agent may only issue citations if the humane society for which the person works or volunteers has entered into a contract with the appropriate county [RCW 16.52.015].

Gross Misdemeanors and Civil Infractions.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A gross misdemeanor is a criminal infraction. Gross misdemeanors are punishable by up to one year of imprisonment and a fine of up to \$5,000.

Civil infractions are not criminal in nature. Entities other than law enforcement may issue civil infraction citations if they are authorized to do so in statute. Civil infractions are only punishable by monetary penalties.

Summary of Bill:

A new civil infraction is created for individuals who knowingly transport non-ambulatory livestock to or from a facility that trades in livestock. Each individual animal unlawfully transported represents a distinct violation. The penalty for the civil infraction is \$1,000. The penalty money is to be deposited into the General Fund.

If an animal becomes non-ambulatory livestock during transport, the animal must be placed in a separate pen for rehabilitation upon unloading.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.